



Teaching  
Regulation  
Agency

# **Mr Michael Partington: Professional conduct panel meeting outcome**

**Panel decision and reasons on behalf of the  
Secretary of State for Education**

**August 2024**

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## **Professional conduct panel decision and recommendations, and decision on behalf of the Secretary of State**

**Teacher:** Mr Michael Partington

**TRA reference:** 21332

**Date of determination:** 2 August 2024

**Former employer:** Oxford Sixth Form College, Oxford

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened remotely via Microsoft Teams on 2 August 2024 to consider the case of Mr Michael Partington.

The panel members were Ms Rosemary Joyce (Teacher Panellist – in the chair), Mr Diarmuid Bunting (Lay Panellist) and Ms Pamela Thompson (Lay Panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Partington that the allegations be considered without a hearing.

Mr Partington provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel considered the case at a meeting without the attendance of the presenting officer, Mr Partington or any representative appointed on his behalf.

The meeting took place in private.

## **Allegations**

The panel considered the allegations set out in the notice of meeting dated 10 May 2024.

It was alleged that Mr Partington was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Sociology Teacher at Oxford Sixth Form College between September 2022 and December 2022:

1. He engaged in inappropriate and/or unprofessional behaviour on 02.12.22 towards Pupil A by:
  - a. Asking Pupil A to stay behind after class;
  - b. Asking Pupil A out on a date;
  - c. Telling Pupil A he could date after she had finished her exams, and semester and/or course was over.

Mr Partington admitted the allegations and that his actions amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

In advance of the meeting, the panel received a bundle of documents which included:

Section 1: Notice of Referral, Response and Notice of Meeting – pages 6 to 22

Section 2: Statement of Agreed Facts – pages 23 to 29

Section 3: Chronology and Anonymised Pupil List – pages 30 to 33

Section 4: Teaching Regulation Agency witness statements – pages 34 to 47

Section 4: Teaching Regulation Agency documents – pages 48 to 253

Section 5: Teacher documents – pages 254 to 286

The panel members confirmed that they had read all of the documents within the bundle, in advance of the meeting.

## Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Partington on 23 January 2024.

## Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Partington for the allegations to be considered without a hearing.

The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

The panel proceeded to consider the case carefully, having read all of the documents, and reached a decision. It accepted the legal advice provided.

Mr Partington was previously employed as a sociology teacher at Oxford Sixth Form College ("the College"). He commenced work at the College in September 2022.

On 2 December 2022, Mr Partington was alleged to have behaved inappropriately towards a pupil at the end of a lesson. The pupil is referred to as Pupil A for the purposes of these proceedings.

Following this, Mr Partington was suspended by the College, which commenced a disciplinary process against him.

On 6 December 2022, Mr Partington was referred to the TRA by the College.

## Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegations proved, for these reasons:

- 1. You engaged in inappropriate and/ or unprofessional behaviour on 02.12.22 towards Pupil A by:**
  - a. Asking Pupil A to stay behind after class;**
  - b. Asking Pupil A out on a date;**

**c. Telling Pupil A you could date after she had finished her exams, and semester and/or course was over.**

Mr Partington admitted the facts of allegations 1(a) to (c).

He admits that, on 2 December 2022, at the conclusion of a Year 13 sociology class:

- He asked Pupil A to remain behind to have a word with her.
- Another pupil, Pupil B, was present at the beginning of the conversation when he asked Pupil A when she would be leaving for [REDACTED].
- Pupil B left the classroom at which point Mr Partington was alone with Pupil A.
- Mr Partington then said to Pupil A, words to the effect of, "*this is awkward*" and "*there's something I want to ask you*" and proceeded to ask Pupil A out on a date.
- When he asked Pupil A out on a date, she responded that she was underage, to which he replied, "*I meant when you have finished the course and exams*".

The panel accepted Mr Partington's admissions, which were consistent with the evidence before it, and found the particulars of allegation 1(a) to (c) proved.

The panel was also satisfied that, by his actions, Mr Partington engaged in inappropriate and unprofessional behaviour having regard to his position, Pupil A's circumstances and the nature and circumstances of his conduct, which included, on the basis of the evidence available, an element of premeditation.

With specific reference to allegation 1(a), such a request is unlikely to be regarded as improper when it is linked to a teaching or pastoral issue, for example, but that was not the case in relation to this incident such that, in context, this was inappropriate and unprofessional.

Allegation 1 was therefore found proved in its entirety.

**Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute**

Having found the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Whilst this was admitted by Mr Partington and that admission was taken into account, the panel made its own, independent determination.

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as “the Advice”.

The panel was satisfied that the conduct of Mr Partington in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Partington was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
  - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel also considered whether Mr Partington’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct.

The panel found that none of these offences were relevant.

Over and above the breaches of the Teachers’ Standards identified above, the panel took into account that Mr Partington was in a position of trust and responsibility as a teacher. He was a role model. He had a duty to maintain appropriate professional boundaries with all pupils at all times.

Mr Partington had clearly breached his obligations in that regard, which he accepted. By his actions, Mr Partington was seeking future contact at the conclusion of Pupil A’s time at the School, possibly leading to a personal relationship outside of the school setting. This was highly inappropriate. It risked impacting upon the pupil, who was clearly made to feel uncomfortable and singled out, within what should have been a safe environment, through the behaviour of her teacher with a duty of care towards her. Mr Partington was an experienced teacher who should have understood that behaviour of this nature was unacceptable.

For these reasons and on the basis of its findings, the panel was satisfied that the conduct of Mr Partington amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

Accordingly, the panel was satisfied that Mr Partington was guilty of unacceptable professional conduct.

In relation to whether Mr Partington's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It considered the influence that teachers may have on pupils, parents and others in the community and took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way they behave.

For the reasons set out above, the findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

The panel therefore found that Mr Partington's actions constituted conduct that may bring the profession into disrepute.

In summary, having found the facts of allegations 1 proved, the panel further found that Mr Partington's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

## **Panel's recommendation to the Secretary of State**

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils;
- the maintenance of public confidence in the profession; and



- declaring and upholding proper standards of conduct.

In the light of the panel's findings, which involved a breach of professional boundaries concerning a pupil, there was a strong public interest in the safeguarding and wellbeing of pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Partington were not treated with appropriate seriousness when regulating the conduct of the profession.

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Partington was outside that which could reasonably be tolerated.

The panel also determined that there was a public interest in terms of Mr Partington remaining in the profession. No doubt had been cast upon his abilities as a teacher. To the contrary, there was clear evidence that he had made a positive contribution to teaching over the course of his long career. That was supported by references and testimonials, from individuals who were aware of the allegations, and it was clear that there were no prior concerns of a similar nature.

Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Partington.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Partington.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved.

In the list of such behaviours, the only factor relevant in this case was that this was a serious departure from the personal and professional conduct elements of the Teachers' Standards.

Having found that some of the behaviours proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors.

Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered the following mitigating factors were present in this case:

- Mr Partington had not been subject to any previous regulatory proceedings. He had over twenty years of experience in education and an unblemished record. Importantly, there had been no prior concerns of a similar nature.
- Mr Partington provided references and testimonials, which depicted him in a positive manner including from relatively recent employment. He was viewed as an asset in a previous role and appeared to have a significant amount of academic knowledge and expertise relevant to a teaching role.
- Mr Partington fully participated in these proceedings and admitted all of the allegations. He had also admitted his actions when first asked about them by the College.
- Mr Partington had apologised for his actions and shown regret, remorse and insight, as evidenced by a reflective statement prepared by Mr Partington, which the panel carefully considered. He recognised and accepted that he had fallen short of the standards expected of him and taken some steps to address his failings, including completing professional boundaries training.
- The panel's findings concerned a single incident and his wrongdoing did not advance beyond the initial comment to Pupil A when she did not respond positively.
- Mr Partington had a [REDACTED], details of which were included within the case papers. The panel was not presented with expert medical evidence to the extent that [REDACTED] caused Mr Partington to behave in the way that he did. However, based on the evidence presented, which had not been challenged by the TRA in this process, it was prepared to accept that [REDACTED] could have impacted his judgement. That conclusion was supported by the fact that this was a one-off aberration in the context of his career as a whole. In the period since this event, there was evidence that Mr Partington had managed his [REDACTED] effectively. As such, the panel was not persuaded that he presents an ongoing risk and his actions were out of character.

Weighed against these matters, the panel considered there were some aggravating factors present, including:

- Mr Partington's actions involved and impacted upon a pupil at a time when they remained on the school roll.
- Mr Partington's conduct amounted to a breach of the Teachers' Standards.
- Mr Partington was in a position of trust and responsibility as well as a role model.
- There was an element of premeditation.

- Mr Partington was an experienced teacher who should have understood the expectations upon him in terms of maintaining professional boundaries.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, on balance, a recommendation of no prohibition order would be both a proportionate and an appropriate response.

The nature of the proven conduct in this case was serious for the reasons outlined.

This was an instance of professional boundaries being breached in circumstances which alluded to a future, personal relationship. This meant there was a strong public interest in terms of the safeguarding and wellbeing of pupils, maintaining public confidence in the profession and declaring and upholding proper standards of conduct.

For the reasons outlined, Mr Partington's actions were highly inappropriate.

However, having considered the mitigating factors present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case for the following reasons in particular.

First, this was an isolated episode in the context of Mr Partington's career as a whole. The panel was persuaded that, given his prior good record and extensive experience, it was likely that he could be an asset to the profession in the future. He appeared to have a particular expertise in relation to foreign language students studying in English, across the full spectrum of ability.

Secondly, Mr Partington's actions were, whilst highly inappropriate, misconceived and an instance of extremely poor judgment. The panel's findings, in context, were at the lower end of the spectrum of seriousness.

Thirdly, the panel carefully considered whether there was a risk of repetition and concluded that risk was limited. Mr Partington had sufficient insight, regret and remorse. He understood that what he had done was wrong and there was evidence that his [REDACTED] was being satisfactorily controlled.

Having gone through this experience, the panel considered it was unlikely that Mr Partington would put himself in the same situation again. This was also an isolated episode in the context of his career as a whole. The panel was satisfied, on balance, it was probable that Mr Partington will have learnt important lessons and his mistakes were unlikely to be repeated.

In light of all these matters and the other mitigating factors identified above, the panel determined that a recommendation for a prohibition order would not be appropriate or proportionate in this case.

Having very carefully taken account of the public interest considerations Mr Partington's proven conduct gave rise to, the panel considered that the publication of the adverse findings it has made would be sufficient to send an appropriate message as to the standards of behaviour that were acceptable.

When considered in conjunction with Mr Partington's long and unblemished career and the fact that he had shown sufficient insight, regret and remorse, the panel did not think that his proven actions were fundamentally incompatible with his being a teacher.

The panel considered this was a proportionate outcome, which struck a fair balance between the public interest and Mr Partington's interests, particularly in circumstances where the panel's published findings will likely have a residual impact in terms of his professional reputation and future employment prospects.

Further, the panel considered that a prohibition order would be punitive and disproportionate in the circumstances of this case.

In the panel's judgement, this recommendation protects pupils, given the limited risk of repetition, maintains public confidence and upholds professional standards. It also reflects the fact that there is a public interest element in retaining Mr Partington in the profession given his experience and expertise.

## **Decision and reasons on behalf of the Secretary of State**

I have given very careful consideration to this case and to the recommendation of the panel in respect of sanction.

In considering this case, I have also given very careful attention to the Advice that the Secretary of State has published concerning the prohibition of teachers.

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Mr Michael Partington should not be the subject of a prohibition order. The panel has recommended that the findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute, should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Mr Partington is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel finds that the conduct of Mr Partington fell significantly short of the standards expected of the profession.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Partington, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "In the light of the panel's findings, which involved a breach of professional boundaries concerning a pupil, there was a strong public interest in the safeguarding and wellbeing of pupils." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Mr Partington had apologised for his actions and shown regret, remorse and insight, as evidenced by a reflective statement prepared by Mr Partington, which the panel carefully considered. He recognised and accepted that he had fallen short of the standards expected of him and taken some steps to address his

failings, including completing professional boundaries training.” I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “This was an instance of professional boundaries being breached in circumstances which alluded to a future, personal relationship. This meant there was a strong public interest in terms of the safeguarding and wellbeing of pupils, maintaining public confidence in the profession and declaring and upholding proper standards of conduct.” I am particularly mindful of the finding of breach of boundaries with a pupil in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct and conduct likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Partington himself and the panel comment “Mr Partington had not been subject to any previous regulatory proceedings. He had over twenty years of experience in education and an unblemished record. Importantly, there had been no prior concerns of a similar nature.”

A prohibition order would prevent Mr Partington from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel’s comments. The panel has said, “Thirdly, the panel carefully considered whether there was a risk of repetition and concluded that risk was limited. Mr Partington had sufficient insight, regret and remorse. He understood that what he had done was wrong and there was evidence that his [REDACTED] was being satisfactorily controlled.”

I have also placed considerable weight on the finding of the panel that “Having gone through this experience, the panel considered it was unlikely that Mr Partington would put himself in the same situation again. This was also an isolated episode in the context of his career as a whole. The panel was satisfied, on balance, it was probable that Mr Partington will have learnt important lessons and his mistakes were unlikely to be repeated.”

I have given weight in my consideration of sanction therefore, to the contribution that Mr Partington has made to the profession and the panel said “this was an isolated episode in the context of Mr Partington’s career as a whole. The panel was persuaded that, given his prior good record and extensive experience, it was likely that he could be an asset to the profession in the future. He appeared to have a particular expertise in relation to foreign language students studying in English, across the full spectrum of ability.”

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

A handwritten signature in black ink, appearing to read 'S Buxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 6 August 2024**

This decision is taken by the decision maker named above on behalf of the Secretary of State.